

Mayor
Rita Dotson

City Clerk
Michele Edwards

City Treasurer
Bethany Cooper

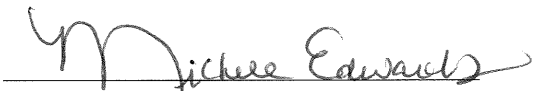
City Attorney
Martin Johnson

Police Chief
Tracy Watwood

Resolution to the City of Benton Number 15-10-01

I certify I am the duly qualified City Clerk of the City of Benton, Kentucky, and the following pages of the Resolution Number: 15-10-01 is a true, correct and complete copy, duly adopted by the City Council at a convened meeting held on October 19, 2015, all as appears in the official records of the said City of Benton, Kentucky.

WITNESS, my hand and the Seal of the City of Benton, this the 3 day
of December, 2015.


Michele Edwards
Benton City Clerk

S E A L

RECEIVED AND FILED
DATE January 13, 2016

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Hardie Allen

RESOLUTION NO. 15-10-01

**A RESOLUTION ADOPTING A MODERN AND ACCURATE
LEGAL DESCRIPTION OF TERRITORY DESIGNATED
AS TRACT 1 AND PREVIOUSLY ANNEXED
BY ORDINANCE DATED JUNE 22, 1982**

Whereas, the City of Benton, Kentucky has enacted numerous Ordinances annexing territory into the corporate limits of the City; and

Whereas, each annexation contained a prior survey of that territory that was not fully documented and further references to same cannot now be made; and

Whereas, the City must provide a modern, accurate, and easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, same having been certified by a professional land surveyor for each prior annexation;

Whereas, the City intends to comply with the provisions of KRS 81A.470 as enacted and amended on July 12, 2004; and

Whereas, the City does not intend to amend or replace its prior ordinance annexing but rather to interpret the defined boundaries of the territory previously annexed and adopted a modern and accurate legal description of territory previously annexed.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Benton, Kentucky

SECTION 1.

The City Council of the City of Benton, Kentucky hereby adopts the following legal descriptions and plat prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219 as an accurate depiction of Tract 1 for property previously annexed into the corporate limits

of the City of Benton, Kentucky by an ordinance dated June 22, 1982, a copy of which is attached hereto and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing Tract 1 in that prior annexation.

SECTION 2.

This legal description as prepared by A. Clay Robinson, Licensed Professional Land Surveyor No. 3219 is attached as Exhibit A labeled legal description. The Plat is attached as Exhibit B.


SECTION 3.

This Resolution is to clarify the description of Tract 1 in the annexation Ordinance dated June 22, 1982, and to further clarify that description contained in a clarifying resolution the City adopted on September 10, ²⁰⁰² ~~1902~~.

SECTION 4.

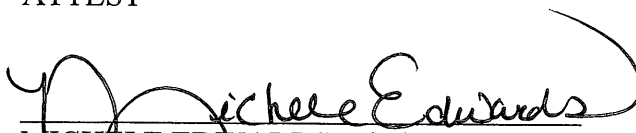
The legal descriptions of Tract 2, Tract 3, Tract 4 and Tract 5 contained in the Ordinance dated June 22, 1982, are confirmed and shall not be affected by the City's adoption of this resolution.

Passed this the 19 day of October, 2015.



RITA DOTSON, Mayor
City of Benton, Kentucky

ATTEST



MICHELE EDWARDS, Clerk
City of Benton, Kentucky

EXHIBIT A

**Annexation to the City of Benton, Marshall County, Kentucky
Of June 22, 1982, Tract 1
Addition to Clarification Resolution 09-10-02 of October 19, 2009
2015 Resolution Description**

A parcel of land lying on the east side of the US Highway 641 (Main Street) as Annexed by Ordinance June 22, 1982 and being more particularly described as follows:

Beginning at the intersection of Town Creek and the northern boundary of Haltom Subdivision (slide 186 & 527), said point having Kentucky State Plane South Zone coordinates of North 1,835,749.87 and East 880,849.07;

Thence, from the point of beginning, along the north boundary of the Haltom Subdivision North 84° 38' 30" West a distance of 74.87 feet to an existing ½" rebar, said point having Kentucky State Plane South Zone coordinates of North 1,835,756.86 and East 880,774.53;

Thence, North 84° 38' 30" West a distance of 106.04 feet to a point, said point having Kentucky State Plane South Zone coordinates of North 1,835,766.76 and East 880,668.95;

Thence, along the east boundary of the March 5, 1952 Annexation to the City of Benton, North 2° 43' 52" East a distance of 1,712.69 feet to an existing 1" pipe, said point having Kentucky State Plane South Zone coordinates of North 1,837,477.51 and East 880,750.56;

Thence, North 2° 43' 52" East a distance of 50.25 feet to a point, said point having Kentucky State Plane South Zone coordinates of North 1,837,527.70 and East 880,752.95;

Thence, South 81° 36' 20" East a distance of 411.06 feet to a point;

Thence, South 85° 57' 11" East a distance of 367.93 feet to the centerline of Town Creek, said point having Kentucky State Plane South Zone coordinates of North 1,837,441.72 and East 881,526.63;

Thence, along said creek, South 8° 54' 09" West a distance of 48.71 feet;

Thence, South 11° 25' 56" East a distance of 155.56 feet;

Thence, South 34° 19' 21" West a distance of 71.28 feet to a point, said point having Kentucky State Plane South Zone coordinates of North 1,837,182.26 and East 881,509.73;

Thence, South 10° 36' 41" East a distance of 104.52 feet;

Thence, South 76° 52' 26" West a distance of 78.40 feet;

Thence, South 43° 27' 58" East a distance of 49.24 feet;

Thence, South 53° 41' 10" West a distance of 70.88 feet;

Thence, South 18° 42' 34" East a distance of 54.35 feet;

Thence, South 35° 11' 06" West a distance of 52.93 feet;

Thence, South 40° 52' 30" East a distance of 63.70 feet;

Thence, South 50° 51' 30" West a distance of 50.20 feet;

Thence, South 11° 18' 30" East a distance of 41.00 feet;

Thence, South 48° 50' 30" West a distance of 123.40 feet;

Thence, South 26° 04' 08" West a distance of 99.52 feet;

Thence, South 13° 52' 18" East a distance of 29.09 feet;

Thence, South 1° 31' 29" West a distance of 144.70 feet;

Thence, South 25° 22' 44" West a distance of 143.28 feet;

Thence, South 7° 12' 52" West a distance of 100.29 feet;

Thence, South 15° 15' 22" West a distance of 53.83 feet;

Thence, South 37° 49' 15" West a distance of 56.25 feet to the intersection of Town Creek and the northwest corner of Lot 22 of the Willow Creek Estates;

Thence, South 45° 57' 16" West a distance of 294.95 feet;

Thence, South 37° 03' 31" West a distance of 182.30 feet to the point of beginning.

The above described parcel contains 23.728 acres more or less.


As shown on a plat labeled "Resolution Plat Depicting Original Ordinance Dated June 22, 1982" on Drawing F-1 as prepared by Shawnee Professional Services dated August 4, 2015.

All bearings and coordinates referred to in this description are based on the Kentucky State Plane South Zone coordinate system as derived from GPS observations performed on July 27, 2015.

Note: the purpose of this description is to provide information for the annexation of the 23.728 acres described to the City of Benton, Kentucky. This description or plat does not represent a boundary survey and is not intended for land transfer or to establish ownership lines or a property boundary.

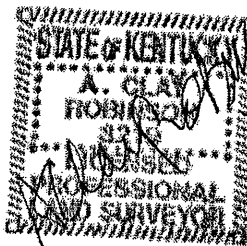
Prepared by and in accordance with a partial survey performed under the supervision of:

A. Clay Robinson
Ky. Licensed Prof. Surveyor 3219
Shawnee Professional Services
401 Washington Street
Paducah, Ky. 42001


A Clay Robinson, PLS

08-04-15

Date



STAMP

Case 6 Annexation June 22, 1982 tract 1.doc
A Clay Robinson
August 4, 2015

UNDER AUTHORITY PROVIDED BY CHAPTER 100 OF THE KENTUCKY REVISED STATUTES, I, RITA, MAYOR ON BEHALF OF THE CITY OF BENTON, KENTUCKY, DO HEREBY CERTIFY THAT THE LANDS SHOWN HEREON HAVE BEEN ACCEPTED FOR INCLUSION INTO THE CITY OF BENTON IN ACCORDANCE WITH THE ORDINANCE AS ADOPTED ON FEBRUARY 1, 1980. I FURTHER CERTIFY THAT THE COUNCIL OF THE CITY OF BENTON HAS ACCEPTED THIS DEPOSITION OF THE ADOPTED ANNEXATION FOR SUBMISSION TO THE KENTUCKY SECRETARY OF STATE BY THE MEETING HELD ON _____ AND APPROVED BY RESOLUTION NUMBER _____.

DATE _____

MICHELE EDWARDS
BENTON KENTUCKY CITY CLERK

THE INTENTION OF THIS DRAWING IS TO AID THE KENTUCKY SECRETARY OF STATE LAND DIVISION OFFICE IN THE LOCATION AND PLACEMENT OF AN ANNEXATION TO THE CITY OF BENTON ON THE OFFICIAL RECORD MAPPING SYSTEM.

THIS DRAWING REPRESENTS THE LANDS CALLED FOR IN THE CITY OF BENTON ANNEXATION ORDINANCE DATED JUNE 22, 1982, TRACT 1.

This drawing provides newly acquired GPS (Global Positioning System) data collected from a survey conducted by the State Plane Coordinate System (SPCS) project. The SPCS project is a nationwide effort to update the National Aeronautics and Space Administration area on the official record map.

The resolution is intended as an addition to clarification, resolution and correction of the boundary shown on the original drawing. This drawing was prepared in 2008. There is no boundary as represented by the dashed line.

This survey was performed on July 27, 2016.

No additional survey marks have been added to this survey.

This survey is for the description of a field corner location. It does not represent a boundary survey. For this reason, it is not to be used as evidence in a legal proceeding.

The lines shown on this field survey were computed using the apparent magnetic declination at the time of the field survey using GPS (Global Positioning System).

The property lines shown are not verified this survey. These lines are shown for information only.

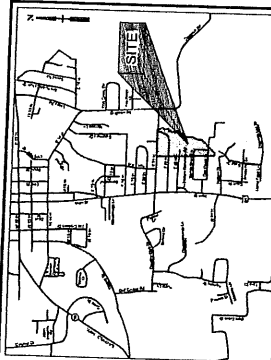
I, CLAY ROBINSON, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF KENTUCKY, DO HEREBY CERTIFY THAT THIS DRAWING PRESENTS AN ANNEXATION TO THE CITY OF BENTON, MARSHALL COUNTY, KENTUCKY, PREVIOUSLY ADOPTED. THE ANNEXATION HAS BEEN ROTATED TO THE KENTUCKY STATE PLAIN SOUTH ZONE COORDINATE SYSTEM BY GLOBAL POSITIONING SYSTEM OBSERVATIONS. MULTIPLE POINTS ALONG THE EXTERIOR AND INTERIOR OF THIS ARE HAVE BEEN LOCATED. THIS DRAWING HAS BEEN PREPARED IN FULL COMPLIANCE WITH THE CITY LIMITS MAP ACT, AS ENACTED BY THE KENTUCKY SECRETARY OF STATE, LAND OFFICE DIVISION, BOUNDARY SURVEYING DIVISION.

A. CLAY ROBINSON
KEY REG. 1 AND CLIP REG. 1

HEREBY CERTIFY THAT THIS PLAT OF A PREVIOUS ANNEXATION HAS BEEN REVIEWED AND ACCEPTED BY THE CITY OF BENTON PLANNING AND ZONING COMMISSION AND IT IS THE RECOMMENDATION OF THIS COMMISSION THAT THIS PLAT BE APPROVED BY THE BENTON CITY COUNCIL FOR SUBMISSION TO THE KENTUCKY SECRETARY OF STATE AND OFFICE DIVISION FOR RECORDING.

DATE _____

CHAIRMAN OR ADMINISTRATOR OF THE
BENTON PLANNING COMMISSION



LEGEND

ELP _____
 COUNTY/STATE _____
 CONC _____
 CONC MON. _____
 COMPUTED POINT _____
 Δ _____
 DISTANCE / DIRECTION _____
 FROM ORIGINAL ORDINANCE _____
 FIELD MEASURED THIS SURVEY _____
 1626.15' _____
 PROPERTY LINE (REFERENCE ONLY) _____
 RIGHT OF WAY LINE _____
 FENCE _____
 _____ X _____

 EDGE OF PAVEMENT _____

 CENTERLINE OF ROADWAY _____

 EXISTING CITY LIMITS AS ACCEPTED BY _____
 THE KENTUCKY SECRETARY OF STATE _____
 ANNEALEMENT LIMITS THIS SURVEY _____

F -
DRAWING



Shawnee Professional Services
Engineers, Surveyors, Acquisition, & Energy
401 Washington Street, Dubuque, KY 42003
(270) 443-7600
www.ShawneePSI.com

ANNEXATION TO THE
CITY OF BENTON KENTUCKY
BY ORDINANCE
DATED JUNE 22, 1982, TRACT 1

NOTE:
THIS DRAWING IS NOT A BOUNDARY SURVEY.
THE INTENTION OF THIS DRAWING IS TO AID IN THE
AMENDMENT OF THE OFFICIAL STATE OF KENTUCKY
LAND OFFICE RECORDS.

150 75 0 150 300 FT
SCALE: 1" = 150'

1" = 150'	Stand:	1 of 1
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**OVERSIZE MAP INCLUDED WITH
SUBMISSION.**

To research the map, contact the
Office of Secretary of State
or the County Clerk.